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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,601	05/17/2004	Barbara F. Clark	8204-04-1	3600

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EXAMINER

IZAGUIRRE, ISMAEL

ART UNIT PAPER NUMBER

3765

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/709,601

Applicant(s)

CLARK ET AL.

Examiner

Ismael Izaguirre

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-8, 14, 15 and 19 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 9-13, 16-18 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **CLAIMS**

#### ***Summary***

Claims 1, 14 and 15 are the independent claims under consideration in this Office Action.

Claims 2-14 and 16-20 are the dependent claims under consideration in this Office Action.

#### ***Claim Rejections - 35 U.S.C. § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hedrick (4,422,251).

Hedrick teaches a quilting frame comprising a rectangular polygonal inner frame 13, 14 and outer rectangular polygonal frame 16, 17. The outer frame is configured to fit snugly around the inner frame. The outer frame is formed of elongated members 16 and 17 and wherein the elongated members are configured to be connected to one another in an end-to-end fashion (by means 19 and 18) to form the polygonal outer frame.

Claims 1-3,6,7,15 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ulmer et al. (5,226,250).

Ulmer et al. teach a quilting frame and method for tensioning and supporting a material for quilting (column 1, line 12) comprising a rectangular polygonal inner frame 60, 65 and outer rectangular polygonal frame 10, 14 (figure 4). The outer frame is configured to fit snugly around the inner frame. The outer frame is formed of elongated members 10 and 14 and wherein the elongated members are configured to be connected to one another in an end-to-end fashion to form the polygonal outer frame. Ulmer et al., further teach a support structure 50 for supporting the inner frame and allowing the apparatus to be free-standing.

Claims 1-3,6-8 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Geils et al. (5,870,840).

Geils et al. teach a quilting frame (column 1, line 18) comprising a rectangular polygonal inner frame 12, 14, 3 and outer rectangular polygonal frame 21 (figure 1, for example). The outer frame is configured to fit snugly around the inner frame by providing a fork 26 for fitting around the pin 43 (see figure 4) of the inner frame. The outer frame is formed of elongated members 19, 20, 21, etc., and wherein the elongated members are configured to be connected to one another in an end-to-end fashion to form the polygonal outer frame. Geils et al., further teach a support structure 11 for supporting the inner frame and allowing the apparatus to be free-standing and adjustable arms 21 for adjusting the viewing angle of the rectangular inner frame.

***ALLOWABLE SUBJECT MATTER***

Claims 4,5,9-13,16-18 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***PERTINENT CITATIONS***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Weir illustrates an adjustable supporting structure for supporting a table. Foss illustrates an inner frame and an outer frame with members connected end to end. Bagley illustrates a rectangular inner and outer frame and supporting structure. Jucker et al. Illustrate an inner frame and an outer frame.

***INQUIRIES***

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 308-0861.

Any inquiry concerning this communication or earlier communications directed to the examiner should be directed to Mr. Ismael Izaguirre at (703) 308-0892 located in CP2-4B18, Monday through Friday 9:30am to 6:00pm.



**Ismael Izaguirre  
Primary Examiner  
Group Art Unit 3765**